



2013 SENATE BILL 68

1 **AN ACT** *to renumber and amend* 767.56 and 767.58 (1); *to amend* 766.70 (4)
2 (a) 3. and 767.59 (3); and *to create* 767.56 (2c) and 767.58 (1) (c) of the statutes;
3 **relating to:** termination of maintenance upon the payee's or payer's death and
4 notices relating to maintenance.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 766.70 (4) (a) 3. of the statutes is amended to read:
6 766.70 (4) (a) 3. A division of the obligations of the spouses existing on the date
7 of the request, after considering the classification of the obligation under s. 766.55
8 and the factors specified under ss. 767.56 (1c) and 767.61.
9 **SECTION 2.** 767.56 of the statutes is renumbered 767.56 (1c), and 767.56 (1c)
10 (intro.), as renumbered, is amended to read:

SENATE BILL 68**SECTION 2**

1 767.56 (1c) FACTORS TO CONSIDER FOR GRANTING. (intro.) Upon a judgment of
2 annulment, divorce, or legal separation, or in rendering a judgment in an action
3 under s. 767.001 (1) (g) or (j), the court may grant an order requiring maintenance
4 payments to either party for a limited or indefinite length of time, subject to sub. (2c),
5 after considering all of the following:

6 **SECTION 3.** 767.56 (2c) of the statutes is created to read:

7 767.56 (2c) **TERMINATES AT DEATH OF PAYEE OR PAYER.** Unless already terminated
8 for another reason, maintenance granted under this section terminates upon the
9 death of the payee or the payer, whichever occurs first.

10 **SECTION 4.** 767.58 (1) of the statutes is renumbered 767.58 (1) (a) and amended
11 to read:

12 767.58 (1) (a) Each order for child support, family support, or maintenance
13 payments shall include an order that the payer and payee notify the county child
14 support agency under s. 59.53 (5) of any change of address within 10 business days
15 of such the change.

16 **(b)** Each order for child support, family support, or maintenance payments
17 shall also include an order that the payer notify the county child support agency
18 under s. 59.53 (5) and the payee, within 10 business days, of any change of employer
19 and of any substantial change in the amount of his or her income, including receipt
20 of bonus compensation, affecting his or her ability to pay child support, family
21 support, or maintenance. The order shall also include a statement that notification
22 of any substantial change in the amount of the payer's income will not result in a
23 change of the order unless a revision of the order under s. 767.59 or an annual
24 adjustment of the child or family support amount under s. 767.553 is sought.

25 **(d)** An order under this subsection is enforceable under ch. 785.

